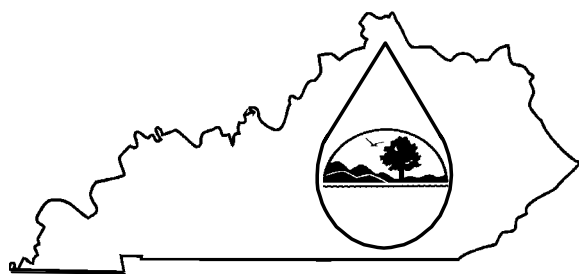


# FORM NOI-CM



## KENTUCKY POLLUTION DISCHARGE ELIMINATION SYSTEM (KPDES)

### Permit Application for General Permit Coverage For Coal Mining Operations

This is an application for:

- ☐ New mining operation coverage.  
☐ Modification of coverage for additional area in same watershed.  
☐ Modification of coverage for additional area in different watershed.  
☐ Previously covered by an individual permit.

In order to qualify for coverage under the *Coal General Permit*, the coal mining operation must have obtained or is obtaining a Surface Mining Control and Reclamation Act (SMCRA) permit.

**For additional information contact:**  
**Surface Water Permits Branch (502) 564-3410**

If Modification is checked, state reason for Modification:

For Agency Use	Permit No. (Leave Blank)	K	Y	G	0	4				
For Agency Use	AI ID (Leave Blank)									

#### SECTION I – PERMITTEE INFORMATION

Applicant Name:		
Mailing Address: City, State, Zip Code		
Contact Name:	Title:	
Contact Name:	Telephone Number:	E-mail Address:

#### SECTION II – GENERAL SITE INFORMATION

<b>Attach an Adobe Acrobat PDF file of the full color USGS 7½-minute quadrangle map with the facility site clearly marked.</b>		
<b>Attach Adobe Acrobat PDF files of the Mining and Reclamation Plan map and the Environmental Resources Information map.</b>		
<b>For Amendments or Modifications attach a Adobe Acrobat PDF file showing only the amended or modified areas.</b>		
SMCRA Permit Number:		Type of Operation:
County where facility is located:		Nearest community:
Nearest public road intersection:		Nearest named stream:
Latitude (decimal degrees):	Longitude (decimal degrees):	Method used (see instructions):
Surface acreage: Current:	Amended:	Underground acreage: Current: Amended:

#### SECTION III – SPECIFIC SITE INFORMATION

Number of sediment structures proposed:	(complete sediment structure inventory table on page 3)
Number of fills proposed:	(complete fill inventory table on page 4)
Number of stream crossings proposed:	(complete stream crossings inventory table on page 4)
Nearest downstream public water supply: Distance in stream miles	

#### SECTION IV – COE CWA SECTION 404 PERMIT INFORMATION

Has a Clean Water Act Section 404 permit been obtained from the Army Corps of Engineers for any or all sediment structures, fills or stream crossings?	
Permit Number:	Permit Issuance Date:
Activities covered by permit:	

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## SECTION V – OTHER ENVIRONMENTAL APPROVALS AND PERMIT INFORMATION

CATEGORY	EXISTING PERMIT WITH NUMBER	PERMIT NEEDED WITH PLANNED APPLICATION DATE
401 Water Quality Certification		
Drinking Water		
Wastewater Construction		
Water Withdrawal		
Air Emissions		
Solid or Special Wastes		
Hazardous Waste Registration /Permit		

## SECTION VI – EFFLUENT CHARACTERISTICS

Samples and analysis for the pollutants or pollutant characteristics listed on the Effluent Characteristics Data Sheet (page 5) shall be performed for each, sediment control structure, either existing or proposed, within each watershed. All samples and analysis are to be taken and performed in accordance with the requirements of 40 CFR Part 136. Complete an Effluent Characteristics Data Sheet for each sample collected and analyzed.

## SECTION VII – BEST MANAGEMENT PRACTICES (BMP) PLAN

Check one the following boxes.

- ☐ The generic Coal BMP Plan shall be completed and implemented for this activity within 90 days of the granting of coverage under the KPDES Coal General Permit.
- ☐ A site specific BMP shall be developed, and implemented for this activity within 90 days of the granting of coverage under the KPDES Coal General Permit. (A copy of the BMP shall be submitted to the DOW for review and comment prior to implementation.)
- ☐ The Oil & Grease requirements of the KPDES Coal General Permit shall be followed.

## SECTION VIII – CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME AND OFFICIAL TITLE (Type or Print)		Telephone Number: (Area Code and Number)	(      )      -
SIGNATURE:		DATE:	

## SECTION IX – NOI PREPARER INFORMATION

Preparer Name:			
Company Name			
Mailing Address:			
City, State, Zip Code:			
Phone Number:	Work # (      )      -	e-mail Address:	

This completed application form and attachments should be sent to: Surface Water Permits Branch, Division of Water, 200 Fair Oaks Lane, Frankfort, Kentucky 40601. Questions should be directed to: Surface Water Permits Branch, Operational Permits Section at (502) 564-3410.

## Sediment Structure Inventory

## Instructions

ID Number:	Provide the structure's identification number.
Upland/In stream:	Indicate whether the structure is on the bench, in-stream or upland.
Permanent/Temporary:	Indicate whether the structure is permanent or temporary
Drainage Area:	Provide the contributing drainage area in acres.
Activities:	List the types of activities within the contributing drainage area, i.e; fills, haul roads, surface mines, underground mines, etc.
Latitude:	Provide the latitude of the structure.
Longitude:	Provide the longitude of the structure.
Receiving Stream:	Name of the water body, which receives the structure's discharges.

(Attach additional pages if necessary)

# FORM NOI-CM

## Fill Inventory

ID Number	Permanent/Temporary	Fill Size (acres)	Watershed Size (acres)	Latitude (dd-mm-ss)	Longitude (dd-mm-ss)	Impacted Stream (name)

### Instructions

ID Number: Provide the structure's identification number.  
Permanent/Temporary: Indicate whether the fill is permanent or temporary  
Size: Provide the size of the fill in acres.  
Watershed: Provide the watershed size in acres above the lowest point of the permanent fill.  
Latitude: Provide the latitude of the fill.  
Longitude: Provide the longitude of the fill.  
Impacted Stream: Name of the water body in which the fill is being placed

(Attach additional pages if necessary)

## Stream Crossings Inventory

ID Number	Permanent/Temporary	Stream Crossing Type	Watershed Size (acres)	Latitude (dd-mm-ss)	Longitude (dd-mm-ss)	Impacted Stream (name)

### Instructions

ID Number: Provide the stream crossing's identification number.  
Permanent/Temporary: Indicate whether the stream crossing is permanent or temporary  
Type: Provide the type of crossing, i.e. bridge, culvert, low water, etc.  
Watershed: Provide the watershed size in acres above the stream crossing.  
Latitude: Provide the latitude of the stream crossing.  
Longitude: Provide the longitude of the stream crossing.  
Impacted Stream: Name of the water body in which the stream crossing is being placed

(Attach additional pages if necessary)

# FORM NOI-CM

## Effluent Characteristics Data Sheet

Outfall No.	Latitude:		Longitude:		Receiving Water:	
Pollutant or Pollutant Characteristic	Value	Units	Sample Type	Analytical Method Used	Method Detection Level	
Total Suspended Solids						
Flow						
pH						
Hardness (as mg/l CaCO <sub>3</sub> )						
Sulfate (as SO <sub>4</sub> )						
Total Recoverable Aluminum						
Total Recoverable Iron						
Total Recoverable Manganese						
Total Recoverable Antimony						
Total Recoverable Arsenic						
Total Recoverable Beryllium						
Total Recoverable Cadmium						
Total Recoverable Chromium						
Total Recoverable Copper						
Total Recoverable Lead						
Total Recoverable Mercury						
Total Recoverable Nickel						
Total Recoverable Selenium						
Total Recoverable Silver						
Total Recoverable Thallium						
Total Recoverable Zinc						
Free Cyanide						
Total Phenols						
Conductivity						

### Instructions

Outfall Number: Provide the outfall number. (use following naming convention -KYG04XXXX-XXX)  
 Latitude: Provide the latitude of the discharge point or sample point.  
 Longitude: Provide the longitude of the discharge point or sample point.  
 Receiving Water: Provide the name of the receiving water that will receive the discharge.  
 Where sample was collected: Check either sediment structure or in-stream  
 Value: Report the numerical results of the analysis for the pollutant or pollutant characteristic  
 Units: Indicate the units, i.e. mg/l, MGD, standard units, °F, etc.  
 Sample Type: Indicate how the sample was collected, i.e. grab, composite, weir, instantaneous, etc.  
 Analytical Method: Indicate the EPA test method used for analysis of the pollutant or pollutant characteristic  
 Method Detection Level: Indicate the MDL for the EPA test method used.

(Attach additional pages if necessary)

# FORM NOI-CM

## KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM FORM NOI-CM – INSTRUCTIONS

Listed below are explanations of select Form NOI-CM questions. If further information is needed concerning any questions, please contact the Division of Water at (502) 564-3410.

The following types of activities are **not eligible for coverage** under the KPDES Coal General Permit and must obtain individual KPDES permits.

- a. The coal mining operation has not been permitted under KRS Chapter 350.
- b. New or expanded operations proposing to discharge directly into a receiving stream that has been classified as a Coldwater Aquatic Habitat or as an Outstanding State Resource Water as listed in 401 KAR 5:026, Section 5.
- c. New or expanded operations proposing to discharge directly into or to a direct first or second order tributary of a Publicly-owned Lakes or Reservoirs as listed in 401 KAR 5:026, Section 5.
- d. New or expanded operations proposing to discharge directly into a receiving stream that has been classified as an Outstanding National Resource Water or as an Exceptional Waters as listed in 401 KAR 5:030, Section 3.
- e. New or expanded operations involving the dredging of coal from a water of the Commonwealth.
- f. Any operation using or proposes to use Anhydrous Ammonia as a treatment option.
- j. Any operation discharging to a water of the Commonwealth that has been listed, in the most recently developed 303(d) list, as impaired for one or more of the pollutants commonly associated with coal mining.
- k. Any operation that meets the definition of a coal remining operation found in Coal Mining Effluent Guidelines (Subpart G of 40 CFR Part 434).
- l. Any operation proposing to dispose of solid or special wastes within the mining area.
- m. Any operation that is classified as an alkaline mine

**The Notice of Intent (NOI) is to be submitted to the Division of Water at the time of submission of the preliminary application to the Division of Mine Permits. The submission shall be in an electronic format using Adobe Acrobat PDF files either on a CD or e-mail or by web based application when available. PAPER SUBMISSIONS WILL NOT BE ACCEPTED.**

**Please be sure to indicate the purpose of the application by checking the appropriate box on the top right portion of the form. If the operation has not been previously covered by a KPDES Permit then check “New Mining Operation Coverage”.**

### SECTION I – PERMITTEE INFORMATION

**Applicant Name:** Provide the name of the SCMRA permit holder.

**Mailing Address, City, State, and Zip Code:** Provide the mailing address of the SCMRA permit holder

**Contact Name:** Provide the name of the person who is responsible for the operation.

**Contact Phone No.:** Provide the telephone numbers of the person who is responsible for the operation.

**Contact e-mail Address:** Provide the e-mail address of the person who is responsible for the operation

# FORM NOI-CM

## SECTION II – GENERAL SITE INFORMATION

**SMCRA No.:** Provide the SMCRA Permanent Program Permit number.

**Type of Operation:** Eligible types of mining activities are limited to: coal load outs; haul roads; refuse disposal sites (excluding slurry); surface mines; tipples; and underground mines.

**County where facility is located:** County in which the facility is primarily located.

**Nearest Community:** Provide the name and distance of the nearest community

**Nearest public road intersection:** Provide the nearest state road intersection and distance.

**Nearest named stream:** Provide the name of the nearest name water of the Commonwealth (use the 7 ½ minute topographic map)

**Latitude/Longitude:** Provide the general site latitude and longitude of the operation.

**Method used to obtain latitude and longitude:** (i.e. topographic map coordinates, GPS reading, etc.)

**Surface Disturbance/Underground Acreage:** List the acreages of each.

## SECTION III – SPECIFIC SITE INFORMATION

**Number of sediment structures proposed:** Enter the number of sediment structures proposed and complete the Sediment Structure Inventory chart.

**Number of fills proposed:** Enter the number of fills proposed and complete the Fill Inventory chart.

**Number of stream crossings proposed:** Enter the number of stream crossings proposed and complete the Stream Crossings Inventory chart.

**Nearest downstream public water supply:** Name of the nearest downstream public drinking water supply.

**Distance in stream miles to nearest downstream public water supply:** Distance in stream miles.

## SECTION IV – COE CWA SECTION 404 PERMIT INFORMATION

**Has a Clean Water Act Section 404 permit been obtained from the Army Corps of Engineers:** Yes or No

**Permit Number:** Provide the COE Section 404 permit.

**Permit Issuance Date:** Provide issuance.

**Activities covered by permit:** List the activities covered by the COE Section 404 permit.

## SECTION V – OTHER ENVIRONMENTAL APPROVALS AND PERMIT INFORMATION

**Existing permit with number:** Indicate the type of permit obtained and its number

**Permit needed with planned application date:** Indicate the type of permit needed and when the application will be filed.

## SECTION VI – EFFLUENT CHARACTERISTICS

Collect, analyze and report at least one sample of effluent from an outfall in each watershed for the parameters listed in the following table. If permittee can demonstrate the discharges are or will be substantially identical then a representative outfall can be selected to provide this data. To demonstrate substantially identical the permittee shall provide information regarding coal seams mined, overburden characteristics, mining methods, etc. If there are no existing discharges on the proposed activity then permittee may use data from an adjacent existing activity which is substantially identical. If there are no existing discharges or substantially identical adjacent activities then the permittee has two years following issuance of general permit coverage to submit the data. **DNR background sampling data can not be used to comply with this requirement.**

## SECTION VII – BEST MANAGEMENT PRACTICES (BMP) PLAN

Check one of the three boxes to indicate how the facility will comply with the Oil & Grease requirements of the KPDES Coal General Permit.

# FORM NOI-CM

## SECTION VII – EFFLUENT CHARACTERISTICS

Pollutant or Pollutant Characteristic	Required Analytical Method
Total Suspended Solids	
Flow	
Conductivity	
pH	
Hardness (as mg/l CaCO <sub>3</sub> )	
Sulfate (as SO <sub>4</sub> )	
Total Recoverable Aluminum	EPA Method 200.8, ASTM D5673-03
Total Recoverable Iron	EPA Method 200.7, ASTM D4190-94, 99, ASTM 3120B
Total Recoverable Manganese	EPA Method 200.8, ASTM D5673-03
Total Recoverable Antimony	EPA Method 200.8, ASTM D5673-03
Total Recoverable Arsenic	EPA Method 200.8, ASTM D5673
Total Recoverable Beryllium	EPA Method 200.8, ASTM D5673
Total Recoverable Cadmium	EPA Method 200.8, ASTM D5673
Total Recoverable Chromium	EPA Method 200.8, ASTM D5673
Total Recoverable Copper	EPA Method 200.8, ASTM D5673
Total Recoverable Lead	EPA Method 200.8, ASTM D5673
Total Recoverable Mercury	EPA Method 200.8, ASTM D5673
Total Recoverable Nickel	EPA Method 200.8, ASTM D5673
Total Recoverable Selenium	EPA Method 200.8, ASTM D5673
Total Recoverable Silver	EPA Method 200.8, ASTM D5673
Total Recoverable Thallium	EPA Method 200.8, ASTM D5673
Total Recoverable Zinc	EPA Method 200.8, ASTM D5673
Free Cyanide	Standard Method 4500-CN-G, ASTM D2036-98(B)
Total Phenols	EPA Method 420.1

## SECTION VIII – CERTIFICATION

The permit application must be signed as follows:

**Corporation:** by a principal executive officer of at least the level of vice president

**Partnership or sole proprietorship:** by a general partner or the proprietor respectively

## SECTION IX – NOI PREPARER INFORMATION

**Preparer Name:** Provide the name of the person who prepared the NOI

**Mailing Address, City, State, and Zip Code:** Provide the mailing address of the person who prepared the NOI

**Preparer Phone No.:** Provide the telephone numbers of the person who prepared the NOI

**Preparer e-mail Address:** Provide the e-mail address of the NOI preparer.

### NOTE:

**In addition to the completed and signed NOI-CM and attachments the following items are to be included with the submittal for a “new mining operation” or “modification of, coverage for additional area in a different watershed”.**

**The KPDES FORM NOI-CM and accompanying instructions are available from the Division of Water’s web site at <http://water.nr.state.ky.us/dow/descrip.html>. The NOI may be submitted by either an electronic format (Compact Disk (CD) or Web base) or on paper; CD version preferred.**

The aforementioned forms and documents are to be submitted to the Division of Water at the following address:

Operational Permits Section  
Surface Water Permits Branch  
Division of Water  
200 Fair Oaks Lane  
Frankfort, Kentucky 40601